UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,889	01/16/2004	Pratik M. Mehta	016295.1518 (DC-05677)	6993

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BAKER BOTTS, LLP
910 LOUISIANA
HOUSTON, TX 77002-4995

EXAMINER
YOUNG, NICOLE M

ART UNIT	PAPER NUMBER
2139	

NOTIFICATION DATE	DELIVERY MODE
10/01/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

debbie.allen@bakerbotts.com

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
	10/758,889	MEHTA ET AL.
Office Action Summary	Examiner	Art Unit	
	Nicole M. Young	2139	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
 Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 July 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-10 and 21-32* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-10 and 21-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This communication is in response to the amendment dated July 17, 2007. Claims 1, 4-

10 and 21-32 are pending. Claims 2-3 and 11-20 are cancelled. Claims 21-32 are new.

Claims 1 and 6-9 are amended.

Specification

The disclosure has been amended and the objections are withdrawn.

Claim Objections

The claims have been amended and the objections are withdrawn.

Claim Rejections - 35 USC § 101

Claim 1 has been amended and the 35 USC 101 rejections for **claims 1, 4, and 5** are

withdrawn.

Claims 2-3 have been cancelled therefore, the 35 USC 101 rejections are withdrawn

Claims 11-20 have been cancelled therefore, the 35 USC 101 rejections are withdrawn

for claims **11, 14, and 17-20**.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

Claims 1, 25, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated

by **Sun et al. (US 2004/0078597)** herein referred to as Sun.

Claims 1, 25, and 30 (Currently Amended) disclose a method and system for activating

a wireless network security with a wireless host, comprising:

in a wireless network having a deactivated wireless network security, a wireless

host establishing a communication connection with a client (Fig. 4 steps 405, 410, and

associated text);

in response to the communication connection, the wireless host automatically

requesting from the client a determination of whether to activate the wireless network

security (Fig. 4 step 410 and associated text, where in paragraph [0044] the user is

interpreted to have deactivated network security until it logged onto the new network);

the wireless host receiving from the client a determination to activate the wireless

network security (paragraph [0044] the user clicks connect to begin connecting);

upon receipt of in association with the determination to activate the wireless

security network, automatically requesting the wireless host receiving an identifier code

from the client; and 52 (Fig. 4 steps 415, 425, 420 and associated text)

the wireless host determining that the received identifier code matches a unique

key-code maintained by the wireless host; and (Fig. 4 steps 430-455 and associated

text)

as a result of determining that the received identifier code matches the unique

key-code maintained by the wireless host, the wireless host activating the deactivated

wireless security network to secure the wireless host if the identifier code matches a

unique key-code that is physically located on the wireless host (Fig. 4 steps 430-455

and associated text).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 4, 5, 26, and 31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Sun et al. (US 2004/0078597)** herein referred to as Sun and further

in view of **Ayyagari et al. (US 7,120,129)** herein referred to as Ayyagari.

Claims 4, 26 and 31 (Original) disclose the method and system of Claims 1, 25, and

30, further comprising following the activation of the wireless security network, changing

the unique key-code to a personal code selected by the client.

Sun does not teach but Ayyagari teaches changing the unique key-code to a personal code selected by the client. Ayyagari column 10 lines 8-30 teach changing the default SSID (interpreted as the unique-key code) on the Ad Hoc mode (interpreted to be the access point of Sun) to a personal code. This would be obvious to a person of ordinary skill in the art at the time of invention. The motivation to combine is Ayyagari column 10 lines 21-30. Ayyagari states, "the user intending to change the default SSID for AD Hock mode may create a registry variable and instantiate it to the desired Ad Hock mode SSID value. This ensure seamless operation for the normal Windows platform user".

Claim 5 (Original) discloses the method of Claim 4, further comprising resetting the unique key-code to a factory default.

Sun does not teach but Ayyagari teaches changing the unique key-code to a personal code selected by the client. Ayyagari column 10 lines 8-30 teach changing the default SSID (interpreted as the unique-key code) on the Ad Hoc mode (interpreted to be the access point of Sun) to a personal code. This would be obvious to a person of ordinary skill in the art at the time of invention. The motivation to combine is Ayyagari column 10 lines 21-30. Ayyagari states, "the user intending to change the default SSID for AD Hock mode may create a registry variable and instantiate it to the desired Ad Hock mode SSID value. This ensure seamless operation for the normal Windows platform user". It would also be obvious to one of ordinary skill in the art at the time of invention that the user could change the key back to the factory default.

Claims 6-10, 27-29, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sun et al. (US 2004/0078597)** and further in view of **Jacobs.**

Claim 6, 27, and 32 (Currently Amended) disclose the method and system of Claims 1, 25, and 30, further comprising[[,]]:

the wireless host receiving from the client a determination not to activate the wireless network security (Jacobs column 8 lines 16-29 teach placing an object in a queue if the user does not immediately wish to process it); and

in response to the received determination of not to activate the wireless network security, the wireless host setting a reminder flag such that the client is automatically reminded at a future time to activate the wireless network security.

Sun does not teach but Jacobs teaches setting a reminder flag if it is determined not to activate the wireless network security. Jacobs column 8 lines 16-29 teach placing an object in a queue if the user does not immediately wish to process it. It would be obvious to one of ordinary skill in the art at the time of invention to set a reminder to activate the wireless security if the user did not want to process it. This motivation is shown in Jacobs column 8 lines 18-27.

Claims 7 and 28 (Currently Amended) disclose the method and system of Claim 6 and 27, wherein the remainder flag comprises a reminder time period such that a second

request is made from the client for the determination is automatically reminded to

activate the wireless security network after the expiration of the reminder time period.

The motivation to combine is the same as in the rejection of Claim 6. Sun does

not teach but Jacobs does teach setting an amount of time until the user processes the

object in column 8 lines 19-26.

Claims 8 and 29 (Currently Amended) disclose the method and system of Claims 6 and

27, wherein the reminder flag comprises a reminder condition such that a second

request is made from the client for the determination is automatically reminded to

activate the wireless security network upon a subsequent communication connection.

The motivation to combine is the same as above. Sun does not teach but

Jacobs teaches in column 8 lines 19-26 setting a pre-determined time to prompt the

user to process the object.

Claim 9 (Currently Amended) discloses the method of Claim 6, wherein the reminder

flag comprises further comprising receiving from a client a never-reminder response

such that the client is not subsequently reminded to activate the wireless network

security.

The motivation to combine is the same as above. Sun does not teach but

Jacobs teaches in column 8 lines 43-49 that the user can respond "NO" and the object

will be deleted from the queue and never processed.

Claim 10 (Original) discloses the method of Claim 6, further comprising registering the

client to save configuration information on the client such that the wireless host

recognizes the client on a subsequent communication connection (Sun, Fig. 4 steps

415, 425 and associated text, and rejection of claim 6).

Claims 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sun et al. (US 2004/0078597) herein referred to as Sun, as applied to claim 1 above,

and further in view of **Ocepek et al. (US 2004/0049586)** herein referred to as Ocepek.

Claims 21, 22, and 23 (New) discloses the method of Claim 1, further comprising:

a second client associated with an unauthorized user accessing the wireless

network before the wireless network security for the wireless network is activated due to

the client's determination to activate the wireless network security (Sun paragraph

[0044] the user clicks connect to begin connecting); and

the second client associated with the unauthorized user prevented from

accessing the wireless network by the wireless network security after the wireless

network security for the wireless network is activated due to the client's determination to

activate the wireless network security(Sun paragraph [0044] the user clicks connect to

begin connecting).

Sun teaches a client determining to activate wireless security in paragraph

[0044]. Sun does not teach but Ocepek teaches a second client associated with an

unauthorized user accessing the wireless network before network security is activated,

Ocepek paragraphs 34-37. Ocepek teaches the unauthorized client accessing a

wireless network without network security. When the client wishes to enter authorized

servers the client is detected, as in paragraphs [0036]-[0037], and if authorized it is

allowed to enter. If the client does not pass authorization it is prevented to access the

protected server. It would be obvious to one of ordinary skill in the art at the time of

invention to allow an unauthorized client to access an unauthorized wireless network

and authenticate to the server if the client wishes to access authorized network

services. The motivation to combine would be in paragraph [0036] of Ocepek, which

states that Ocepek's system "does not add substantial overhead".

Claim 24 (New) discloses the method of Claim 1, wherein the unique key-code is a

local area network (LAN) media access control (MAC) address supplied with the

wireless host (Ocepek paragraph [0039]).

Response to Arguments

Applicant's arguments with respect to claim 1, 4-10 and 21-32 have been

considered but are moot in view of the new ground(s) of rejection.

The Applicant argues that Sun does not teach "activating a deactivated wireless

network security". The Examiner respectfully disagrees. Fig. 4 step 410 and

associated text, wherein paragraph [0044] the user is interpreted to have deactivated

network security until it logged onto the new network. The security is not activated,

therefore it is interpreted by the Examiner to be deactivated. Authenticating through log

on is interpreted to be activating the wireless security.

The rejections for dependent claims 4-10 and 21-24 and analogous independent

claims 25 and 30 as well as dependent claims 26-29 and 31-32 are maintained.

In light of the amendments and prior discussions, the rejections under USC 103

of claims 4, 5, 14, and 6-10 are maintained as well.

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

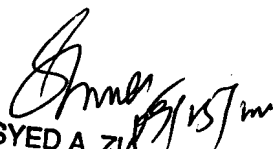extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicole M. Young whose telephone number is 571-270-1382. The examiner can normally be reached on Monday through Friday, alt Fri off, 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NMY
9/18/2007

SYED A. ZIA
PRIMARY EXAMINER